



General Assembly

February Session, 2014

Raised Bill No. 5300

LCO No. 1458



Referred to Committee on AGING

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME NOTIFICATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-528a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2014*):

3 For any application of licensure for the acquisition of a nursing
4 home filed after July 1, 2004, any potential nursing home licensee or
5 owner shall submit, in writing, a change in ownership application with
6 respect to the facility for which the change in ownership is sought.
7 Such application shall be prescribed by the Commissioner of Public
8 Health and include such information as the commissioner deems
9 necessary. The first page of the application shall include the following
10 statement: "NOTICE: The State of Connecticut values the quality of
11 care provided to all of our residents. Please know that any nursing
12 home licensee, owner or officer, including, but not limited to, a
13 director, trustee, limited partner, managing partner, general partner or
14 any person having at least a ten per cent ownership interest in the
15 nursing home or the entity that owns the nursing home, and any
16 administrator, assistant administrator, medical director, director of

17 nursing or assistant director of nursing, may be subject to civil and
 18 criminal liability, as well as administrative sanctions under applicable
 19 federal and state law, for the abuse or neglect of a resident of the
 20 nursing home perpetrated by an employee of the nursing home." The
 21 application shall also include [such information as the Commissioner
 22 of Public Health deems necessary and] whether such potential nursing
 23 home licensee or owner (1) has had three or more civil penalties
 24 imposed through final order of the commissioner in accordance with
 25 the provisions of sections 19a-524 to 19a-528, inclusive, or civil
 26 penalties imposed pursuant to the statutes or regulations of another
 27 state, during the two-year period preceding the application, (2) has
 28 had in any state sanctions, other than civil penalties of less than twenty
 29 thousand dollars, imposed through final adjudication under the
 30 Medicare or Medicaid program pursuant to Title XVIII or XIX of the
 31 federal Social Security Act, 42 USC 301, as from time to time amended,
 32 or (3) has had in any state such potential licensee's or owner's
 33 Medicare or Medicaid provider agreement terminated or not renewed.
 34 In the event that a potential nursing home licensee or owner's
 35 application contains information concerning civil penalties, sanctions,
 36 terminations or nonrenewals, as described in this section, the
 37 commissioner shall not approve the application to acquire another
 38 nursing home in this state for a period of five years from the date of
 39 final order on such civil penalties, final adjudication of such sanctions,
 40 or termination or nonrenewal, except for good cause shown.

41 Sec. 2. (NEW) (*Effective October 1, 2014*) The statement that the
 42 Commissioner of Public Health is required to include in change in
 43 ownership applications pursuant to section 19a-528a of the general
 44 statutes, as amended by this act, shall not be construed as expanding
 45 or otherwise affecting the liability of nursing home licensees, owners
 46 or officers, including, but not limited to, a director, trustee, limited
 47 partner, managing partner, general partner or any person having at
 48 least a ten per cent ownership interest in the nursing home or the
 49 entity that owns the nursing home, or the liability of any
 50 administrator, assistant administrator, medical director, director of

- 51 nursing or assistant director of nursing, that may exist at law for the
52 abuse or neglect of a resident of the nursing home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	19a-528a
Sec. 2	<i>October 1, 2014</i>	New section

AGE *Joint Favorable*